

1                   **SENATE JOINT RESOLUTION NO. 10**

2    (By Senators Laird, Unger, Miller, D. Facemire, Yost, Williams  
3                   and Kessler (Acting President))

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5    [Introduced February 2, 2011; referred to the Committee on the  
6                   Judiciary; and then to the Committee on Finance.]

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14 Proposing an amendment to the Constitution of the State of West  
15       Virginia, repealing section three, article IX thereof,  
16       relating to sheriffs serving more than two consecutive terms;  
17       numbering and designating such proposed amendment; and  
18       providing a summarized statement of the purpose of such  
19       proposed amendment.

20       *Resolved by the Legislature of West Virginia, two thirds of*  
21 *the members elected to each house agreeing thereto:*

22       That the question of ratification or rejection of an amendment  
23 to the Constitution of the State of West Virginia be submitted to  
24 the voters of the state at the next general election to be held in

1 the year 2012, which proposed amendment is that section three,  
2 article IX thereof be repealed ~~to read as follows:~~

3 **~~ARTICLE IX.~~**

4 ~~§3. Sheriffs.~~

5 ~~A person who has been elected or who has served as a sheriff~~  
6 ~~during all or any part of two consecutive terms shall be ineligible~~  
7 ~~for the office of sheriff during any part of the term immediately~~  
8 ~~following the second of the two consecutive terms. The person~~  
9 ~~holding the office of sheriff when this section is ratified shall~~  
10 ~~not be prevented from holding the office of sheriff during the term~~  
11 ~~immediately following the term his is serving.~~

12 *Resolved further,* That in accordance with the provisions of  
13 article eleven, chapter three of the Code of West Virginia, 1931,  
14 as amended, such proposed amendment is hereby numbered "Amendment  
15 No. 1" and designated as the "Repeal The Two Consecutive Term  
16 Limitation for Sheriffs Amendment" and the purpose of the proposed  
17 amendment is summarized as follows: "To repeal section three,  
18 article IX of the State Constitution which provides that a person  
19 who has been elected or who has served as a sheriff during all or  
20 any part of two consecutive terms shall be ineligible for the  
21 office of sheriff during any part of the term immediately following  
22 the second of the two consecutive terms, and that the person  
23 holding the office of sheriff when this section is ratified shall  
24 not be prevented from holding the office of sheriff during the term

1 immediately following the term he is serving."

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(NOTE: The purpose of this joint resolution is to allow sheriffs to serve more than two consecutive terms in office.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)